IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

Tr.Appeal(C).No. 7 of 2006()

AGAINST THE ORDER IN TPC.175/2006 Dated 13/10/2006
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APPELLANT/RESPONDENT:

DR. V.S.THANKAMANI AMMA,
WORKING AS SELECTION GRADE LECTURER,
DEPARTMENT OF COMMERCE, SREE AYYAPPA COLLEGE,
NAGER COIL, RESIDING AT LAKSHMI NIVAS,
MANNAR MURI, KADAPRA VILLAGE, THIRUVALLA.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT/ PETITIONER

K.P.CHANDRASEKHARA PILLAI,
LAKSHMI NIVAS, KADAPRA, NIRANAM P.O.,
THIRUVALLA.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

THIS TRANSFER APPEAL(CIVIL) HAVING BEEN FINALLY HEARD ON 30/01/2007, ALONG WITH TRANSFER APPEAL NO.8 OF 2006 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A. NO. 3559 OF 2006 IN TR. APPEAL NO. 7 OF 2006

DISPOSED OF VIDE JUDGMENT DATED 30.01.2007

30.01.2007

SD/- KURIAN JOSEPH, JUDGE.
SD/- K.T. SANKARAN, JUDGE.

/true copy/

P.A. TO JUDGE

KURIAN JOSEPH & K.T. SANKARAN, JJ.

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TRANSFER APPEAL Nos. 7 & 8 OF 2006

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Dated this the 30th January, 2007

J U D G M E N T

Kurian Joseph, J:

These appeals arise from the common order dated 13.10.2006 in Tr.P.(C)Nos. 174 and 175 of 2006. In the nature of the order we propose to pass, it is not necessary to go into the minute details of the facts. The appellant is now working as Selection Grade Lecturer in Sree Ayyappa College, Nagercoil . The first respondent is an advocate practising in the Family Court at Thiruvalla.

2. Being a Family Court matter, the first respondent sought for transfer of the cases to any of the courts other than the Family Court at Thiruvalla. Learned Counsel for the appellant submits that it is settled law that prime consideration in the matter of jurisdiction in the family court matters is convenience of the wife. We have no quarrel with the

proposition. But the fact remains that the first respondent is a practising lawyer in the courts at Thiruvalla. Therefore, the grievances of the first respondent regarding his embarassment is certainly genuine. By the order under appeal, the cases have been transferred to Family Court, Kottayam at Ettumannur. It appears that it is more difficult to both parties.

3. After having heard the counsel on both sides, we are convinced that it will be in the interest of both parties to have the matters considered by the Family Court, Thiruvananthapuram. O.P.(HMA)No. 448 of 2006 and O.P.526 of 2006 on the file of the Family Court, Thiruvalla, which have been transferred to the Family Court, Kottayam at Ettumannur and re-numbered as O.P.(HMA) Nos. 833 and 834 of 2006, are transferred to Family Court, Thiruvananthapuram . The records will be transferred to Family Court, Thiruvananthapuram within one month from the date of receipt of a copy of this judgment. Thereafter, the Family Court, Thiruvananthapuram will dispose of the cases as expeditiously as possible,

at any rate, within six months from the date of receipt of the records.

Transfer Appeals are disposed of as above.

KURIAN JOSEPH,
JUDGE.

K.T. SANKARAN,
JUDGE.

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